IN THE HIGH COURT OF JUDICATURE AT BILASPUR (C.G.)

MISC.APPEAL NO. 89 OF 2003

(Memorandum of Misc.Appeal U/S 173 of M.V.Act 1988)

APPELLANT
APPLICANT : Aajuram son of late Ram Prasad Markande, aged about 42 years, occupation Constable, resident of Tower Line (Police) Raipur, Tehsil and District Raipur (CG).

Versus

RESPONDENTS
NON-APPLICANTS : 1. Raju Bajaj son of Govind Ram Bajaj, aged about 32 years, Driver, resident of Shiv Nagar (Samta Colony) Raipur, District Raipur (CG).

2. Bihari Lal Jain son of Late Dulichand Jain, resident of Samta Colony, Tehsil and District Raipur.
(Owner of Maruti No.MPL-A-0725

3. The Oriental Insurance Company Branch No.1, Mandal Office Divisional Manager, Divisional Office Kachheri Chowk Raipur .

P. R. No. 2235/02
Presented by Shri H.S. Patel
dated 18/12/02

MEMORANDUM OF MISC.APPEAL UNDER SECTION 173 OF MOTOR VEHICLES ACT 1988

HIGH COURT OF CHHATTISGARH: BILASPUR
(LOK ADALAT)

MISCELLANEOUS APPEAL No. 89 OF 2003

Appellant: Aaju Ram

Versus

Respondents: Raju Bajaj and others

(Arising out of Claim Case No. 135/2001)

03/02/2007

Shri H.S. Patel, counsel for the appellant.

None for respondents No. 1 and 2.

Shri J.M. Gairola, Divisional Manager, the Oriental Insurance Company Limited with Shri Ghanshyam Patel, counsel for respondent No.3.

In terms of compromise, award is passed as below:-

1) In addition to compensation already awarded by the Tribunal, respondent No.3 shall pay Rs. 50,000/- (Rupees Fifty thousand only) to the appellant.
2) For disbursement and deposit in FDR, the Tribunal may pass appropriate orders.
3) The amount, if any, kept in deposit with Bank shall be payable under the orders of Tribunal in accordance with law.
4) Appellant shall be entitled to receive interest on the amount so deposited, if any.
5) In view of the above, appeal against respondents No. 1 and 2 stands dismissed.
6) Out of the above amount, Rs.500/- (Rupees five hundred only) shall be paid to counsel for the appellant directly by respondent No.3 towards counsel fee.
7) If the amount awarded is not deposited within a period of one month, the Insurance Company shall be liable to pay interest at the rate of 9% per annum thereafter.
8) Copy of the award shall be given to the parties free of cost.

Sd/-
V.K.Shrivastava
Judge

Sd/-
Member – Lok Adalat
High Court of Chhattisgarh
Bilaspur

Raju